

UNITED STATES DISTRICT COURT
for the
DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2005 SEP 13 PM 3:30
OFFICE OF THE CLERK

U.S.A. vs. Lucan Cervantes

Docket No. 8:05CR286

Petition to Modify Conditions of Pretrial Release

COMES NOW Fred A. Samway, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Lucan Cervantes, who was placed under pretrial release supervision by the Honorable David L. Piester sitting in the Court at Lincoln, Nebraska, on September 8, 2005, under the following conditions:

- 1 (d) *Upon being admitted to its program, the defendant shall reside at Byers Flats, Hastings, Nebraska. Defendant shall not leave the facility unless with the permission of an authorized staff member of the treatment facility AND accompanied either by a staff member, a supervising agency officer, or defendant's attorney. The defendant shall not have access to any motor vehicle while at the treatment facility.*

Respectfully presenting petition for action of Court and for cause as follows:

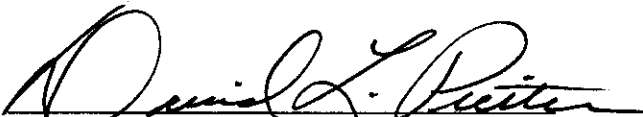
Due to program rules at Byers Flats, the defendant is required to obtain employment which will require his absence from the facility. The defendant may also be required to drive a motor vehicle to get to AA/NA meetings and for employment purposes.

PRAYING THAT THE COURT WILL ORDER that condition 1 (d) be modified as follows:

- 1 (d) The defendant shall reside at Byers Flats, Hastings, Nebraska at all times. The defendant shall abide by the rules of the facility and not leave the facility unless with the permission of an authorized staff member of Byers Flats.

ORDER OF COURT

Considered and ordered this 13th
day of Sept., 2005 and ordered
filed and made a part of the records in the
above case.


U.S. Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 13, 2005


U.S. Pretrial Services Officer

Place: Lincoln, Nebraska